

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TYLER DIVISION

DATE: November 21, 2006

JUDGE
LEONARD DAVIS

REPORTER: Jan Mason

LAW CLERKS: Andrea Houston, Jennifer Liotta

MEDIATEK, INC. Plaintiff vs. SANYO ELECTRIC CO., Ltd, et al Defendant	CIVIL ACTION NO: 6:05–CV-323 MARKMAN HEARING
ATTORNEY FOR PLAINTIFF	ATTORNEY FOR DEFENDANT
Elizabeth Brann (Paul Hastings) Stephen Korniczky (Paul Hastings) Martin Robson (McKool) Robert Manley (McKool) N Thane Bauz (Fish & Richardson)	Patricia Martone (Ropes & Gray) Robert Morris (Ropes & Gray) Andrew Oliver (Ropes & Gray) Padmaja Chinta (Ropes & Gray) Mike Jones (Potter) John Bufe (Potter)

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 9:05 am

ADJOURN: 11:48 am

TIME:	MINUTES:
9:05 am	Case called. Mr. Korniczky, Ms. Brann, Mr. Manley and Mr. Bauz announced ready for plaintiff. Mr. Bufe, Mr. Jones, Mr. Oliver, Ms. Chinta, Mr. Morris and Ms. Martone announced ready for defendant.
9:06 am	Court addressed the parties and requested a brief opening statement.
9:06 am	Mr. Korniczky presented a brief overview of the case and the patents and outlined the order in which the patents and terms should be addressed.
9:07 am	Mr. Korniczky presented an overview of the ‘486 PATENT . Mr. Korniczky presented plaintiff’s proposed definition of the term “Raster Clock Signal.”
9:11 am	Ms. Martone presented an overview of the ‘486 patent. Ms. Martone responded to the “Raster Clock Signal” and presented Defendant’s proposed definition for that term.

DAVID J. MALAND, CLERK

FILED: 11.21.2006

BY: *Rosa L. Ferguson*, Courtroom Deputy

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TIME:	MINUTES:
9:19 am	Mr. Korniczky responded. Ms. Martone further responded. Mr. Korniczky further responded. Court addressed the parties regarding making an addition to plaintiff's proposed definition. Mr. Korniczky responded. Ms. Martone responded. Mr. Korniczky further responded. Ms. Martone further responded.
9:26 am	Mr. Kornickzky presented Plaintiff's proposed definition of term "Clock Circuit."
9:28 am	Ms. Martone responded to the "Clock Circuit" and presented Defendant's proposed definition for that term.
9:32 am	Mr. Korniczky responded. Ms. Martone further responded. Mr. Korniczky further responded.
9:35 am	Mr. Korniczky presented Plaintiff's proposed definition of term "Fixed Frequency."
9:37 am	Ms. Martone responded to the "Fixed Frequency" and presented Defendant's proposed definition for that term.
9:40 am	Court addressed the parties. Mr. Korniczky responded. Ms. Martone further responded. Parties agree to have no construction on this term.
9:41 am	Mr. Korniczky presented Plaintiff's proposed definition of term "Frequency Scaling."
9:43 am	Ms. Martone responded to the "Frequency Scaling" and presented Defendant's proposed definition for that term.
9:45 am	Mr. Korniczky responded. Ms. Martone further responded.
9:49 am	Court will be in recess until 10:00 am. Court will take up the '819 PATENT after the break.
10:05 am	Ms. Brann presented a brief overview of the '819 PATENT . Ms. Brann presented Plaintiff's proposed definition of term "Frequency Domain Down Mixing Means."
10:08 am	Mr. Morris responded to the "Frequency Domain Down Mixing Means" and presented Defendant's proposed definition for that term.
10:09 am	Ms. Brann responded as to Claim 6. Mr. Morris responded. Ms. Brann further responded. Ms. Brann continued on the term, "Frequency Domain Down Mixing Means."
10:14 am	Mr. Morris responded. Ms. Brann further responded. Mr. Morris further responded. Ms. Brann further responded. Mr. Morris further responded. Ms. Brann further responded. Mr. Morris further responded.
10:22 am	Ms. Brann presented Plaintiff's proposed definition of term "Frequency Base to Time Base Converting Means."
10:25 am	Ms. Morris responded to the "Frequency Base to Time Base Converting Means" and presented Defendant's proposed definition for that term.
10:26 am	Ms. Brann further responded. Mr. Morris further responded and addressed the Court on claims 13 & 16. Ms. Brann further responded.

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TIME:	MINUTES:
10:28 am	Ms. Brann continued as to structure for term “Frequency Base to Time Base Converting Means.”
10:33 am	Mr. Morris responded.
10:36 am	Ms. Brann further responded. Mr. Morris responded to the differences in the equations.
10:39 am	Ms. Brann responded. Mr. Morris further responded.
10:40 am	Ms. Brann presented Plaintiff’s proposed definition of term “Separating Means.”
10:43 am	Ms. Morris responded that the “buffer memory” has been taken out. Ms. Brann responded. Mr. Morris will agree to the construction.
10:44 am	Ms. Brann presented Plaintiff’s proposed definition of term “Down Mixing Means.”
10:44 am	Ms. Morris responded to the “Down Mixing Means” and presented Defendant’s proposed definition for that term.
10:45 am	Ms. Brann responded.
10:46 am	Court will be in recess for about 10 minutes and move on the ‘356 PATENT.
11:07 am	Mr. Korniczky presented a brief overview of the ‘356 PATENT.
11:08 am	Mr. Korniczky presented Plaintiff’s proposed definition of term “Video Encoding Means.”
11:10 am	Mr. Morris responded to the aspect of MPEG for term “Video Encoding Means.”
11:10 am	Mr. Korniczky responded.
11:11 am	Mr. Morris responded. Mr. Korniczky further responded. Mr. Morris further responded.
11:13 am	Mr. Morris responded and indicated there are other terms to be construed. Mr. Morris presented Defendant’s proposed definition for term “data number information.”
11:15 am	Mr. Korniczky responded to the term “Data Number Information.”
11:17 am	Mr. Morris addressed the Court on term “Header Information.”
11:17 am	Mr. Koniczky presented proposed definition for term “Header Information.”
11:18 am	Mr. Morris responded.
11:19 am	Mr. Korniczky addressed the Court on term “Predetermined Video Data Unit.”
11:20 am	Mr. Morris responded. Mr. Korniczky further responded.
11:21 am	Mr. Korniczky presented Plaintiff’s proposed definition of term “Audio Encoding Means.”
11:22 am	Mr. Morris responded and presented Defendant’s proposed construction for term “Audio Encoding Means.”
11:24 am	Mr. Korniczky responded. Mr. Morris further responded.
11:27 am	Mr. Korniczky presented Plaintiff’s proposed definition of term “System Header Generating Means.”

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TIME:	MINUTES:
11:29 am	Mr. Morris responded and presented Defendant's proposed construction for term "System Header Generating Means."
11:30 am	Mr. Korniczky responded.
11:32 am	Mr. Korniczky presented Plaintiff's proposed definition of term " Multiplexing Means. "
11:33 am	Mr. Morris responded and presented Defendant's proposed construction for term "Multiplexing Means."
11:35 am	Mr. Korniczky responded. Mr. Morris further responded. Mr. Korniczky further responded. Mr. Morris further responded. Mr. Korniczky further responded.
11:39 am	Mr. Korniczky presented Plaintiff's proposed definition of term " System Header. "
11:41 am	Mr. Morris responded and presented Defendant's proposed construction for term "System Header."
11:44 am	Mr. Korniczky responded. Mr. Morris responded and agrees to take out the word "complete."
11:45 am	Court and parties discussed removing the second "combined."
11:45 am	Ms. Martone addressed the Court on bringing in additional parties and requested a deadline on that. Mr. Korniczky addressed the Court and can have that done in 2 weeks. Court set deadline by Dec. 1. Ms. Martone addressed the Court on discovery. Court suggested that subpoenas out.
11:47 am	Court addressed the parties regarding Mr. Knowles, the mediator, being present for this hearing, and encouraged parties to resolve this matter.
11:48 am	There being nothing further, Court adjourned.